



## UNITED STATES PATENT AND TRADEMARK OFFICE

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#5

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,663	Hermann Schuller	10191/3744

INTERNATIONAL APPLICATION NO.
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PCT/DE03/01798

I.A. FILING DATE	PRIORITY DATE
06/02/2003	11/11/2002

26646  
 KENYON & KENYON  
 ONE BROADWAY  
 NEW YORK, NY 10004

CONFIRMATION NO. 6551

371 FORMALITIES LETTER



\*OC000000017139729\*

Date Mailed: 09/30/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/10/2005
- English Translation of the IA filed on 05/10/2005
- Copy of the International Search Report filed on 05/10/2005
- Preliminary Amendments filed on 05/10/2005
- Information Disclosure Statements filed on 05/10/2005
- Oath or Declaration filed on 05/10/2005
- Request for Immediate Examination filed on 05/10/2005
- U.S. Basic National Fees filed on 05/10/2005
- Substitute Specification filed on 05/10/2005
- Priority Documents filed on 05/10/2005
- Specification filed on 05/10/2005
- Claims filed on 05/10/2005
- Abstracts filed on 05/10/2005
- Drawings filed on 05/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

Additionally the following defects have been observed:

- The oath of declaration does not comply with 37 CFR 1.63 in that it:
  - does not state that the person making the oath or declaration has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - does not state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

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#### PART 2 - OFFICE COPY

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10/534,663	PCT/DE03/01798	10191/3744